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Mining laws of the state of
Alabama

1911



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MINING LAWS
OF THE
STATE OF ALABAMA



MONTGOMERY, ALABAMA
THE BROWN PRINTING CO., PRINTERS AND BINDERS
1911

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MINING LAWS

OF THE

STATE OF ALABAMA

No. 493.) AN ACT (H. 431.

To regulate the mining of coal in Alabama.

Section 1. *Be it enacted by the Legislature of Alabama,* That there shall be appointed by the governor of Alabama an inspector of coal mines for each two and a half million tons of coal mined in the State, or majority fraction thereof, based on the report of the tonnage mined for the previous years, compiled by the chief mine inspector, one of whom shall be designated as chief mine inspector and the others shall be designated as associate mine inspectors, and one of them shall be a mining engineer. Immediately upon the passage of this act, the chief mine inspector and one associate mine inspector shall be appointed and shall hold office for three years, and as soon as possible four associate mine inspectors shall be appointed, two of whom shall hold office for two years and two of whom shall hold office for one year, and upon the expiration of their respective terms of office, new appointments may be made for terms of three years from the date of each appointment and until his respective successor is appointed and qualified. The object being, hereafter to appoint as near as practicable one-third of the inspectors each year.

Appointment
and term of
office of in-
spectors.

Sec. 2. The salary of the chief mine inspector shall be three thousand (\$3,000.00) dollars per annum, and the salary of each of the associate mine inspectors shall be two thousand (\$2,000.00) dollars per annum.

Salary.

Ms. Lib.

Bond may be required.

Report to governor.

Sec. 2 1-2. That the governor of this State may require the chief mine inspector to execute bond payable to the State of Alabama in such sum as the governor may determine with condition that he will faithfully discharge the duties of his office and will account for, properly distribute and pay over all funds coming into his hands as license fees collected from applicants for certificates from the board of examiners or otherwise. It shall be the duty of said chief mine inspector to report annually to the governor the amount of money received by him from such applicants or otherwise and show the disbursement thereof, and at the expiration of his term of office, pay over any moneys in his hands as such to his successor in office.

Qualifications for chief inspector.

Associates.

Sec. 3. The chief mine inspector shall be a qualified elector and shall be a competent person, having had at least eight years experience in the working, ventilating and drainage of coal mines in the State, and having a practical and scientific knowledge of all noxious and dangerous gases found in such mines; he must have a first class mine foreman certificate and must be not less than thirty years of age. The associate mine inspectors shall be qualified electors and each shall possess a first class Alabama mine foreman certificate and shall have had at least five years practical experience in coal mining and shall be not less than twenty-five years of age. The associate mine inspectors shall reside at such points convenient to their respective districts as the chief mine inspector may designate, and the chief mine inspector shall designate the districts. No one shall be appointed mine inspector who, or the wife of whom, owns and operates in whole or in part, mining property.

Unlawful to have other employment.

Sec. 4. It shall be unlawful for the chief mine inspector or any associate mine inspector to be otherwise employed by the State of Alabama.

Duty to examine coal mines, etc.

Sec. 5. The mine inspectors shall give their whole time and attention to the duties of their offices. It shall be the duty of the mine inspectors to examine all the coal mines and all the

working places therein as far as possible, in this State, at least every three months to see that all the requirements of this act are strictly observed and carried out; inspectors shall particularly examine the works and machinery belonging to any coal mine, examine into the state of the coal mines as to ventilation, circulation, and condition of air, drainage and general security; they shall make a record of all examinations of coal mines, showing the date when made, the condition in which the coal mines are found, the extent to which the laws relating to coal mines and mining are observed or violated, the progress made in the improvements and security of life and health sought to be secured by the provisions of this act, number of accidents, injuries received, or deaths in or about the coal mines, the number of persons employed in or by each coal mine, together with all such other facts and information of public interest concerning the condition of coal mines, development and progress of coal mining in this State, as they may think useful and proper, and so much thereof as may be of public interest to be included in their reports. A Record of examinations.

comprehensive report of each inspection of each coal mine shall be promptly made to the superintendent or operator. This report shall be on a form provided for that purpose and compiled by the chief mine inspector, and the board of examiners. This report form may be changed by the chief mine inspector and board of examiners from time to time, as may seem desirable to them. Report.

Sec. 5 1-2. It shall be the duty of said board to have one of its members to promptly investigate all accidents in coal mines resulting in serious injury or death of any person employed or working in or about the same. Prompt investigation of accidents.

Sec. 6. That each member of said board is hereby authorized and empowered to issue subpoenas requiring the attendance of witnesses before said board or before such member thereof, to testify under oath in any proceeding before such board or such member, and require witnesses to answer all proper questions propounded to them Authority to issue subpoenas, etc.

Sheriff, etc.,
to execute
same.

Failure of
witness to at-
tend or testify.

Expense,
how paid.

Written re-
port of chief
inspector.

by said board or such member. That it is hereby made the duty of the sheriff or constable in the county in which such witness may reside or be found, to execute subpoenas issued as above provided, and that they shall each receive for their services in executing such subpoenas the same fees as are allowed them respectively for executing subpoenas in other cases. Any witnesses summoned as above mentioned shall be entitled to the same mileage and per diem as is now allowed by law to such witnesses attending trials in the circuit courts. If any witness subpoenaed as above mentioned shall fail to attend without good excuse, in accordance with the subpoena served on him, or shall fail to attend without good excuse, in accordance with the subpoena served on him, or shall fail to testify when attending, it is hereby made the duty of said board or the member before whom said proceedings is being had, to certify to the failure of any witness to attend and testify, to a judge of any court of record in the county where such proceeding is being held. It is hereby made the duty of the judge to whom such certificate is made to cause such witness to appear before him at a time fixed by said judge, to show cause why he should not be punished for contempt, and to fine or imprison such witness as such judge may deem proper in case he is found guilty of contempt in the premises. That the expense of executing subpoenas and the attendance of witnesses, as well as said contempt proceedings, shall be paid out of any funds in the treasury of the State on certificate of the chief mine inspector, approved by the governor of the State.

Sec. 7. The chief mine inspector, shall, prior to the assembling of the legislature, make a written report to the governor stating the condition of the coal mining interests in this State with such suggestions, statistics, and information as may be of interest to the coal mining industry, and the report shall be printed on the order of the governor and paid for out of the funds of the treasury not otherwise appropriated.

Sec. 8. The chief mine inspector shall be furnished by the State all necessary instruments for measurement of air in coal mines, and whatever apparatus the said inspector may recommend. Instruments furnished by State.

Sec. 9. The chief mine inspector shall procure for the State at the State's expense a full and complete set of standards and other equipment, such as, in his opinion, are necessary in the testing of scales, beams, and other necessary apparatus to be used for a just weighing of coal and other material at the coal mines according to the State standard of weights; and it shall be the duty of said inspector to examine, test and cause to be adjusted as often as occasion demands, all scales and other apparatus used in weighing coal at coal mines. Standards, etc., to be procured.

Sec. 10. The chief mine inspector, with the concurrence of two of the associate mine inspectors, shall have power and authority to immediately stop the operation of any coal mine or any part thereof in which there is sufficient gas or dust, in the opinion of the said chief mine inspector and said associate inspectors, to cause an explosion and endanger the lives of the persons working therein, but work shall not be stopped in any mine except where there is immediate danger of an explosion until the operator or person in charge of said mine shall have had reasonable time in which to remove the danger of such explosion. Any operator, whose mine or any part thereof, has been stopped under this section, may apply to the chancery court of the county, where the mine is located for an injunction, and upon ten days notice served on the chief mine inspector, said application for injunction shall be heard by the said chancery court, if in session, or by the chancellor thereof, if the court be in vacation, upon testimony received in such manner as the chancellor may direct, provided that each party shall be entitled to have all witnesses produced by him at the hearing examined orally before the chancellor, and the testimony of each witness so examined shall be re- Operation of mine may be stopped.

duced to writing and signed by the witness and shall become a part of the record of the cause. If, upon such hearing, the proof shows that such mine or part thereof was or is wrongfully closed, then the chancellor, or chancery court trying the same, shall award a writ of injunction in favor of said operator, restraining said chief mine inspector and associates from stopping the operation of said mine or part thereof, and revoking the order of said chief mine inspector and associates. The chief mine inspector, or other representative of the State, with the consent of the governor may employ such experts as he deems necessary to examine the mine in question and the compensation of such experts shall be fixed by the governor and be paid out of the State treasury upon the order of the governor. An appeal by the unsuccessful party shall lie to the supreme court of the State from any decree of the chancellor or chancery court trying the cause. In all such causes the chief mine inspector and associates shall be entitled to the services of the solicitor prosecuting for the State in the county where the the cause is triable, and the governor may provide special counsel of his selection to represent the chief mine inspector and associates and fix the compensation of such counsel, which shall upon the written direction of the governor be paid out of the moneys appropriated by section fifteen of this act in the manner therein provided.

Notice to inspectors by operator of mine for certain causes.

Sec. 11. Immediate notice must be conveyed to the chief mine inspector and the inspector of the proper district by the operator interested. First, whenever an accident occurs whereby any person receives serious or fatal injury. Second, Whenever it is intended to abandon any coal mine or reopen any abandoned coal mines. Third. Upon the appearance of any dangerous accumulation of fire damp in any coal mine, whether accompanied by explosion or not, and upon the occurrence of any fire within the coal mine or on the surface. Fourth. When the workings of any coal mine are approaching dangerously near any

abandoned coal mine, containing accumulations of water or of gas. Fifth. Upon the accidental closing or intended abandonment of any passage way to an escapement outlet. But none of the information contained in any report of accident shall be divulged by any one of the inspectors, or their employees, to any person except in a legal proceeding or except it be to a member of the family of the party injured or killed, or to a legal representative of said party or family, and the chief mine inspector shall require such legal representative to file his authority therefor.

Sec. 11 1-2. It shall be the duty of said board, whenever notified of any fatal accident or accident causing serious personal injury, to any person employed in any coal mine in this State or any gas or dust explosions therein, to require a member of said board to immediately repair to the scene of the accident or explosion and investigate the cause of such accident or explosion and make such orders as are necessary or proper to secure the safety of the persons working therein. Said board shall keep on file at its office a list of all accidents resulting in death or serious bodily injury to any person working in or about such mines. Such list subject to examination as provided in section 11.

Investigation
of accident
causing death
or personal
injury.

Sec. 12. Whenever the chief mine inspector shall require it, the owner, operator, or lessee of any coal mine shall send to the chief mine inspector on blanks furnished by him for that purpose, a report showing the amount of ventilation at the inlet and outlet; the amount of ventilation at or near the last cross cut in each split, the number of splits and the number of men and animals on each split. The report shall also include a record of the pressure gauge readings.

Reports fur-
nished in-
spector as to
ventilation.

Sec. 13. On or before the twenty-fifth day of January in each year, the operator or superintendent of every coal mine shall send to the chief mine inspector a correct report, specifying with respect to the year ending with the thirty-first of December preceding the name of the operator and location of offices of coal mines, and the quantity

Annual report
of operator to
inspector

of coal and kind of coal mined. The report shall be in such form and give such information regarding such mine as may be from time to time required, and prescribed by the chief mine inspector. Blank forms for such report shall be furnished by the chief mine inspector.

Removal of
inspectors by
governor.

Sec. 14. The governor may remove any chief mine inspector or associate inspector at any time with or without cause, the governor shall also have the power to fill vacancies occasioned from any cause.

Amount ap-
propriated and
purpose of.

Sec. 15. The sum of twenty-five thousand (\$25,000.00) dollars is appropriated out of any money in the State treasury not otherwise appropriated for each of the years 1911, 1912, 1913 and 1914, to pay the salaries of the inspectors and a chief clerk to be appointed by the chief mine inspector and who shall receive a salary of not exceeding fifteen hundred (\$1,500.00) dollars per annum; the necessary traveling and other expenses incurred by the members of the board of mine inspectors while traveling in the discharge of their official duties, and for extraordinary expenses at mine disasters; and for the payment of not to exceed seventy-five (\$75.00) dollars per month for office rent of said board; for the expense of chief or associate mine inspector in attending mine inspectors' conventions, and for the rent or hire of a telephone at the residence of each member of said board and telephone at the office of said board; for postage stamps, stationery, and for the payment of long distance telephone and telegraph messages sent by the members of said board when necessary in the discharge of their official duties; also for the purchase of all necessary apparatus usually required in an office of that character; said expenses will be paid monthly on approval by the governor of monthly itemized statements presented to him by the chief mine inspector; and the State auditor is authorized and directed to draw his warrant on the State treasurer in favor of the chief mine inspector for the monthly

expenses incurred as aforesaid, when so directed by the governor.

Sec. 17. When any agent or operator of any mine shall refuse or fail to comply with any order or direction of the chief mine inspector after the expiration of a reasonable time the chief mine inspector may, if he deem it advisable, refer the matter to the judge of probate in the county in which the mine is located. Upon such reference the judge of probate shall set a day for the hearing of the same and issue citation to the owner or operator of the mine to appear and contest the same if he sees proper; said citation to be served by the sheriff of the county at least ten days before the day of trial. Upon the application of either party, the judge of probate must issue subpoena for witnesses, to be served by the sheriff as in other cases. After hearing the case the probate judge must render such decision as he may deem just and equitable, from which decision either party may appeal to the circuit court within sixty days, when it shall be tried de novo. From the decision of the circuit court either party may appeal to the supreme court of Alabama. If no appeal is taken, the decision shall be final and binding on said operator or mine owner, and any mine owner or operator who refuses to carry out the final order or determination of the case, after a reasonable time, shall be guilty of a misdemeanor, and must, on conviction be fined not more than one thousand dollars.

Failure to comply with order of inspector.

Sec. 18. The chief mine inspector, who shall be ex-officio chairman of the board, with a vote only in case of a tie vote, or in case of the absence of one member of the board, together with two practical miners and two operators of coal mines, and one mining engineer (a majority of whom shall act) and all members of which board shall hold first class certificates, shall constitute a board of examiners to examine and give certificates of fitness to persons to act as mine foremen, or fire bosses, in any coal mine in this State; a fee of five dollars shall be paid to the chief

Board of examiners, members, etc.

Power to examine.

Fee paid by applicant.

mine inspector by each person examined for mine foreman certificate and three dollars for fire boss certificate, to be used as an examiners fund, before examination is begun. Out of the examiners fund there shall be paid to each member of the board, except the chief mine inspector, who shall serve without extra pay, four dollars per day. Said board shall meet every six months at the office of the chief mine inspector, and remain in session not longer than six days and special meetings may be called by the chief mine inspector and must be called at the request of three members of the board. The members of this board shall be appointed by the governor and shall hold office for three years and until their successors are appointed and qualified and as near as possible two members shall be appointed one year and three the succeeding year. The present board shall remain in office until their terms expire and the governor shall appoint the additional members upon the passage of this act, and other members in accordance with this section as the terms of office of the present board respectively expire. The chief mine inspector shall preserve in his office a record of the meetings and transactions of the board and of all certificates issued.

Compensation of examiners.

Meetings.

Appointment and term of office.

Present board continued.

Record kept.

Sec. 19. The examinations herein provided for shall be conducted under such rules, conditions and regulations as the members of the board shall deem most efficient for carrying into effect the spirit and intent of this act. Such rules, when formulated, shall be made a part of the permanent record of the board, and such of them as relate to candidates shall be published for their information and governance prior to each examination; they shall also be of uniform application to all candidates.

Rules for examinations.

Sec. 20. In case of the loss or destruction of a certificate the chief mine inspector may supply a copy thereof to the person losing same upon the payment of \$1.00, provided, it shall be shown to the satisfaction of the chief mine inspector that

Duplicate certificate furnished.

the loss has actually occurred, and the loser was the holder of such certificate.

Sec. 21. If any person, or persons shall forge or counterfeit a certificate or knowingly make or cause to be made any false statement in any certificate under this act or in any official copy of the same, or shall urge or influence others to do so, or shall utter or use any such false certificate or unofficial copy thereof, or shall make, give, utter, produce, or make use of any false declaration, representation or statement in any such certificate or copy thereof, or any document containing same, or make any false statement or misrepresentation in application before examining board for any certificate he or they, shall be guilty of a misdemeanor and his certificate cancelled or annulled by the examining board.

Penalty for false statement, etc.

Sec. 22. Applicants for first and second-class mine foreman's certificates shall be at least twenty-three years of age, and shall have at least five years practical experience, three years of which shall have been spent within coal mines after having attained the age of fifteen years as mine worker, superintendent, at or inside of any coal mine, and shall be citizens of the United States, and shall present an affidavit as to the above and a certificate of good moral character and of known temperate habits, signed by ten reputable citizens where he resides. The said board shall be entitled to grant certificates of competency of two grades, namely, certificate of the first class to persons who have had experience in coal mines generating gases or accumulating dust, one or both, and who shall have the necessary qualifications to fulfill the duties of mine foreman in such mines; and certificates of second class to persons who give satisfactory evidence of their ability to act as mine foreman in coal mines not generating explosive gases. Any person holding a first-class certificate of any other State may act as mine foreman in this State until the first meeting of the examining board.

Qualifications of applicants for foreman's certificates.

Certificate of competency of two grades.

Qualifications
of applicants
for fire boss
certificates.

Certificates
granted.

Foreman may
serve as fire
boss.

Temporary
mine foreman.

Certificates of
service.

Revocation
or cancella-
tion of cer-
tificate.

Sec. 23. Applicants for fire boss certificates shall be at least twenty-one (21) years of age, and shall have had at least three years practical experience within coal mines after having attained the age of fifteen years and shall be a citizen of the United States and shall present an affidavit as to the above and a certificate of good moral character and of known temperate habits signed by ten reputable citizens where he resides. Said board shall be entitled to grant certificates of competency to persons who have had experience in coal mines generating gases and who shall have the necessary qualifications to fulfill the duties of fire boss in such mines.

Sec. 24. Any one holding a first-class mine foreman's certificate may serve as fire boss. Whenever any exigency arises by which it is impossible for any operator, owner or lessee to secure the immediate service of a certificated mine foreman or fire boss he may employ any trustworthy and experienced man, subject to the approval of the State inspector of the district, to act as temporary mine foreman or fire boss for a period of not to exceed sixty days.

Sec. 25. Certificates of service may be issued by the examining board to persons acting as fire bosses at the time of the passage of this act and such certificates shall entitle them to act, until the next examination for fire bosses.

Sec. 26. The certificate of any mine foreman or fire boss may be cancelled and revoked by the board of examiners, whenever it shall be established to the satisfaction of said board that the holder thereof has become unworthy of official endorsement by reason of violation of the law, intemperate habits, manifest incapacity, abuse of authority, or for other causes satisfactory to said board; provided, that any person against whom charges or complaints are made shall have an opportunity to be heard in his own behalf. And he shall have at least thirty days notice in writing of such charges, by the chief mine inspector, and if the holder of a certificate is convicted on the hearing of such charge or complaint, of

violating any part of this law his certificate shall be revoked by the board. Provided, that the chief mine inspector after a thorough investigation, may suspend such holder pending a meeting of the board of examiners and its final action.

Sec. 27. No person shall act as foreman in any coal mine in this State generating explosive gases or dust in quantities sufficient to explode or extend an explosion unless he is in possession of a first-class certificate of competency, and no person shall act as foreman in any coal mine in this State which is non gaseous unless he is in possession of a first-class or second-class certificate of competency.

In gaseous mines foreman must have certificate first grade.
Other mines second grade may act.

Sec. 28. The duties of the mine foreman may be performed by the assistant mine foreman during the temporary absence of the mine foreman for a period not exceeding one week.

Duties of foreman performed by assistant temporarily.

Sec. 29. The mine foreman shall have charge of carrying out or directing the carrying out of his duties as prescribed in this act; and any person who shall direct or cause a mine foreman to disregard the provisions of this act, shall be amenable in the same manner as the mine foreman.

Mine foreman to discharge duties as required by act.

Sec. 30. Whenever any entry, slope or heading or other working places in any coal mine contains dust which will ignite, explode or extend an explosion, it shall be the duty of the person or corporation operating said mine to have it sprayed or sprinkled.

Spraying, etc., entry slope, etc.

Sec. 31. Except as otherwise provided in this act no person shall act as fire boss in any coal mine in this State generating explosive gases unless he is in possession of a certificate of competency.

Persons who can act as fire boss.

Sec. 32. When gas exists in any coal mine in quantities sufficient to ignite or explode the owner, operator, lessee or agent of such mine shall employ a competent fire boss whose duties shall be to examine every working place in the mine before the men are permitted to enter for work. Said fire boss shall be at some convenient place for at least an hour each morning to inform

Mines in which gas exists in quantities sufficient to ignite.

every man as to the state and condition of his working place so far as gas in dangerous quantities is concerned before entering. Said work shall be carefully examined every morning with a safety lamp by the fire boss before the workmen are allowed to enter therein. It shall also be the duty of the fire boss after each examination to leave at a point at least twenty-five (25) feet distant from the face of every slope, drift, entry, or air course and at the neck of every room examined by him a conspicuous sign or mark indicating the presence of gas in dangerous quantities discovered by him, together with a memorandum of the date of his examination. It shall be a misdemeanor on the part of any fire boss to fail to perform any duty imposed on him by the provisions of this section, and it shall be a misdemeanor for any person to enter in or dangerously near to any place in the mine in which he has been notified in person that gas exists in dangerous quantities or dangerously near to any place where any such sign or mark has been placed.

Operation of
machines.

Sec. 34. Machine runners and helpers shall use care while operating machines they shall not operate a machine unless the shields are in place, and no persons not engaged in the operating of a machine shall go near the machine while it is in operation. They shall not move the machine except while cutting, while the cutting chain is in motion. If they remove props which have been placed by the miner or loader for the security of the roof, they shall reset such props.

Employees to
inform fore-
man of un-
safe condi-
tion.

Sec. 35. All employees shall promptly inform the mine foreman or his assistant of the unsafe condition of any working place, hauling roads or traveling ways, or of damage to doors, brattices, or stoppings, or of obstructions in the air passages when known to them. Every workman employed in coal mines shall examine his working place before commencing work, and after any stoppage of work during the shift, he shall repeat the examination.

Examine
working place.

Sec. 36. It shall be unlawful for any miner, workman, or other person knowingly to injure any shaft, safety lamp, appliances, air course or brattices or to obstruct or throw open any air way or carry any open lamp or lighted pipe or fire in any form into any place worked by the light of safety lamps, or within five feet of any open powder, or to handle or disturb any part of the hoisting machinery, or open door regulating an air current and not close the same, or to enter any part of a coal mine against caution, or to do any willful act whereby the lives or health of persons working in coal mines or the security of the mine or the machinery thereof is endangered.

Unlawful to injure shaft, etc.

Sec. 37. There shall be adopted by the operator of every mine in this State special rules for the government and operation of his mine or mines, covering all the work pertaining thereto in and outside of the same, which however, shall not be in conflict with the provisions of the mining laws of this State; such rules when established shall be printed on card board in the English language, and shall be posted up in the drum house, tippie or some other conspicuous place about the mines where the same may be seen and observed by all the employees at such mines, and when a copy has been given an employee it shall operate as a notice to him and shall be conclusive of his acceptance of the contents thereof; and it shall be the duty of each mine operator to furnish a printed copy of said rules to each of his employees.

Rules adopted and printed by operator.

Sec. 38. It shall be the duty of persons operating coal mines in this State to keep at a convenient place at or near the main entrance of the mine, or in the mines, a sufficient supply of props and other timbers useful for propping therein, of suitable lengths and sizes, for those working in such mines. It shall be the duty of those working in said mines who need props or other timbers to select and mark the same when needed for propping by them, designating on such props or timbers the place at which the

Props and timbers to be kept by operator.

same are to be delivered or give notice to the person whose duty it is to deliver or have the same delivered, of the number and kind of props or other timbers needed and of the place at which they are to be delivered. It shall then be the duty of the operator to promptly deliver or cause to be delivered such props or other timbers at the place designated.

Openings to
surface.

Sec. 39. In all coal mines employing twenty or more men inside at any one time it shall be the duty of the owner, operator, or lessee to have and maintain at least two available openings to the surface from each seam, or stratum of the coal worked in such mines, said openings which in case of slope mines, shall be separated by natural strata of not less than twenty-five feet, and in all mines with two hundred tons or over daily capacity all stoppings between slopes and man-way shall be made of fire proof material. The said openings in case of shaft mines shall be separated by not less than one hundred feet of natural strata. Both of these openings, in all cases, shall be kept in good condition and shall be at all times reasonably safe and convenient for entering and leaving the mines; reasonable time however, shall be given to said owner, operator or lessee to prepare the second opening, in no case exceeding six months from the passage of this act, unless in the opinion of the chief mine inspector, a longer time is required, in which case he shall allow the additional time necessary. The said second opening may be made through another adjoining mine. At all points where the passage way to the escapement shaft, or other place of exit, is intercepted by other road ways or entries, conspicuous sign boards shall be placed indicating the direction it is necessary to take in order to reach such place of exit.

Ventilation.

Sec. 40. The operator or superintendent of every coal mine, whether a shaft, slope or drift, shall provide and hereafter maintain ample means of ventilation for the circulation of air through the main entries and all other working

places to an extent that will dilute, carry off and render harmless the noxious and explosive gases generated in the mine, the same to be not less than one hundred cubic feet per minute per man, and five hundred cubic feet per mule or horse, and shall be properly conducted to all working places.

Sec. 41. No accumulation of explosive gas shall be allowed to exist in the worked out or abandoned parts of any coal mine in operation, and the entrance or entrances to said worked out and abandoned places shall be properly fenced off, and cautionary notices shall be posted upon said fencing to warn persons of danger.

Accumulation of explosive gas not allowed. Fencing abandoned mines.

Sec. 42. It shall be the duty of the chief mine inspector to require that proper breaks through be made in all room pillars at such distance apart as, in the judgment of the mine inspector, may be deemed requisite, but said breaks through shall not be more than seventy feet apart.

Breaks through.

Sec. 43. At all principal doorways through which cars are hauled, an attendant shall be employed for the purpose of opening and closing said doors when trips or cars are passing to and from the workings. Sufficient space shall be provided at such doorways to protect the attendants from being injured by the cars while attending to their duties; provided, that in any or all coal mines, where doors are constructed in such a manner as to open and close automatically attendants and places for shelter shall not be required.

Attendants at doorways.

Sec. 44. The doors used in a system for ventilating or regulating the ventilation of coal mines shall be so hung and adjusted that they will close themselves, or by supplying them with springs or pulleys so that they cannot be left standing open. When ordered by the chief mine inspector a second or emergency door shall be provided at all points where doors are used, said doors to be used in case of damage to the other door. After the passage of this act no ventilating fan shall be placed nearer than thirty

Doors; regulations as to when used for ventilating.

feet to an air shaft or air course and shall be placed to one side of the line of such opening so as to remove the fan from the blast of an explosion, and the air duct connecting the fan with such opening, shall be provided with self closing explosion doors.

Furnace for ventilating in gaseous mines prohibited.

Sec. 45. It shall be unlawful to use a furnace for ventilating any coal mine where explosive gas is generated in quantities considered dangerous by the chief mine inspector and associate mine inspector of the district in which such mine is located or where there is a known probability of cutting into explosive gas producing territory. This section does not apply to boiler plants in mines installed prior to the passage of this act, unless considered dangerous by the chief mine inspector and associate mine inspector of the district in which such mine is located.

Regulations, as to steam pipes.

Sec. 46. No steam pipes through which high pressure steam is conveyed, for the purpose of driving pumps or other machinery, shall be permitted on travelling or haulage ways, unless they are encased in asbestos, or some other suitable non-conducting material, or are so placed that the radiation of heat into the atmosphere of the coal mine will be prevented as far as practicable, provided that after the passage of this act that steam pipes shall be placed in the return airway and may be without casing.

Insufficient ventilation.

Sec. 47. If at any time the chief mine inspector or his associates are notified or discovered that the ventilation in any coal mine within the State is insufficient, the said chief mine inspector or one of his associates, shall proceed within five days to investigate said complaint or complaints by personal inspection of any mine or mines in which the quality or quantity of air is complained of, and if on investigation he finds that the air in any mine is insufficient, he shall direct the operator or operators of said mines to adopt such measures for the proper ventilation of said mine as he deems necessary.

Sec. 48. No person shall place refuse in or obstruct any airway or break through used as an airway. Can't obstruct airway, etc.

Sec. 49. It shall be unlawful for any miner or other person to make or build any fire in any coal mine without the written permission of the superintendent thereof. Unlawful to build fire in mine.

Sec. 50. No safety lamp shall be entrusted to any person for use in coal mines until he has given satisfactory evidence to the mine foreman that he understands the proper use thereof and danger of tampering with the same. Persons permitted to use safety lamp.

Sec. 51. All safety lamps used for examining coal mines or for working therein, shall be the property of the operators, and shall be in the care of the mine foreman, his assistant or fire boss or other competent persons, who shall fill, trim, and examine and deliver the same locked in a safe condition to the men when entering the coal mine, before each shift. A sufficient quantity of extra safety lamps, but not less than twenty-five per cent of those in use shall be kept at each coal mine where methane has at any time been generated in sufficient quantities to be detected by the ordinary safety lamps for use in case of emergency. It shall be the duty of every person who knows his safety lamp to be injured or defective to promptly report such fact to the party authorized herein to receive and care for said lamps, and it shall be the duty of that person to promptly repair or report such fact to the mine foreman. Safety lamps, care, etc. of. Extra lamps. When lamp injured.

Sec. 52. Approved safety catches shall be attached to cage used for the purpose of lowering and hoisting persons into and out of coal mines, and must be provided with suitable sheet iron covers, at least one-fourth inch thick and hinged to open upward, to protect persons riding thereon from falling objects, and also with iron bars or rings in proper place, and sufficient number to furnish a secure handhold for every person permitted to ride thereon. An adequate brake shall be attached to every drum or machine for Safety catches on cages. Brake.

Tubes for
passage of
sound.

lowering and hoisting persons into and out of the mine and also indicators which shall show to the person who works the machine the position of the cage or load in the shaft or on the road way. And, all shafts used for hoisting men, shall be equipped with metal tubes or pipes, suitably adopted for the free passage of sound, through which conversation may be held between persons at the top and landings of said shaft all safety catches provided for herein shall be carefully inspected and properly oiled at least once a week and shall be at all times kept in good working condition.

Test, etc., of
main coupling
cage chain.

Sec. 53. The main coupling cage chain in shaft mines attached to the socket of the wire rope may be tested by weights or otherwise to the satisfaction of the mine inspector of the district wherein the coal mine is located, and bridle chains shall be attached to the main hoisting rope above the socket, from the top cross piece of the carriage or cage, so that no single chain shall be used for lowering or hoisting persons into or out of the mines. At all shafts used for the purpose of hoisting and lowering men, the cages shall be provided with automatic self detaching hooks or the engines handling same shall be equipped with an automatic stopping device to prevent overwinding.

Requirements
for operation
of engines, etc.

Sec. 54. The owner, operator or lessee of any coal mine shall place in charge of any engines used for conveying into and hoisting out of said coal mine, none but a competent engineer. No other persons unless authorized by the owner, operator or lessee shall enter the engine room, and it shall be unlawful for any person to interfere with or intimidate the engineer in the discharge of his duty. No person shall speak to the engineer while the engine is in motion, unless it be in giving signals to him, and notices to this effect shall be posted on the door of the engine house.

Cable ends to
be secured.

Sec. 55. The ends of all hoisting cables shall be well secured on the drum, and have at least

two and a half laps of the same remain on the drum when the cage or trip is at rest at the lowest landing.

Sec. 56. All shafts more than 300 feet deep from which hoisting is done by means of a bucket must be provided with suitable guides, and in connection with the bucket there must be a cross-head traveling upon these guides. The height of the cross-head shall be at least two-thirds of its width. If the cross-head be a type that is not secured to the hoisting rope, a stopper must be securely and rigidly fastened to the hoisting rope at least seven feet above the rim of the bucket.

Guides in shafts over 300 feet deep.

Crosshead.

Sec. 57. No open hook shall be used with a bucket in hoisting. Safety hooks shall be employed.

Open hook prohibited.

Sec. 58. Persons engaged in deepening a shaft in which hoisting from an upper level is going on shall be protected from the danger of falling material by a suitable covering extending over the whole area of the shaft, sufficient openings being left in the covering for the passage of men, a bucket or other conveyance used in the sinking operations. No hoisting shall be done in any compartment of a shaft while repairs are being made in that compartment, excepting such hoisting as is necessary in order to make such repairs.

Protection of persons deepening shaft.

Sec. 59. Any person riding upon any cage, skip or bucket that is loaded with tools, timber, powder or other material except for the purpose of assisting in passing such material through a shaft or incline and then only after a special signal has been given, shall be guilty of a violation of this act. When tools, timber or other materials are to be lowered or hoisted in a shaft, their ends, if projecting above the top of the bucket, skip or other vehicle shall be securely fastened to the hoisting rope or to the upper part of the vehicle. This shall not apply to workmen carrying their own tools in a shaft.

Regulations as to riding on cages, etc.

Timber, etc.,
not to be car-
ried on mov-
ing cage.

Cage not used
for carrying
men or mate-
rials.

Upper and
lower landing,
etc., kept clean.

Passage way
around land-
ing place.

Cable to be
used for
hoisting.

Sec. 60. No person shall carry any timber or other materials other than tools and the day's supplies, with him on any cage in motion, except for use in repairing the shaft; and no one shall ride on a cage containing a loaded car, or on a single deck cage with an empty car. No cage having an unstable or self dumping platform shall be used for the carriage of men or materials, unless the same is provided with some convenient device by which said platform can be securely locked, and unless it is so locked whenever men or materials are being conveyed thereon. No coal shall be hoisted in any shaft while men are being lowered therein.

Sec. 61. The upper and lower landing at the top of each shaft and the opening of each intermediate seam from or to the shaft, shall be kept clear and free from loose materials, and shall be securely fenced with automatic or other gates, so as to prevent either men or materials from falling into the shaft.

Sec. 62. At the bottom of every shaft and at every caging place therein, an adequate passage way must be provided around said landing place to serve as a traveling way by which men or animals may pass from one side of the shaft to the other without passing under or on the cage.

Sec. 63. It shall be unlawful to use in any coal mine included within the provisions of this act, any rope or cable for hoisting or lowering either man or material, when such hoisting is done by other means than human or animal power, unless such rope or cable shall be composed of iron or steel wires, with a factor of safety determined as hereinafter set forth, provided, however, that such iron or steel wires may be laid around a hemp center. The factor of safety of all ropes or cables shall, when installed in no case be less than five and shall be calculated by dividing the breaking strength of the rope as given in the manufacturers' published tables by the sum of the maximum load to be hoisted, plus the total weight of the rope in the shaft

when fully let out, plus ten per cent of such values, to take account of shock at starting and stopping.

Sec. 63½. It shall be unlawful for any mine operator, superintendent or mine foreman to haul or cause to be hauled on any slope or plane where the grade is against the loaded cars or trips of cars without using a drag on the rear end of the cars or trips of cars when required by two or more mine inspectors for the purpose of derailing the cars or trips of cars in case they break loose and run back. The drag may be of heavy wrought iron or of soft steel.

Sec. 64. No driver or other person shall descend, or ascend a shaft with any horse or mule, unless the said horse or mule is secured in a suitable box or safely penned, and only the driver in charge of said horse or mule, and such assistants as he may need, shall accompany it in any case.

Sec. 65. The owner, operator or lessee of any coal mine in this State, shall make or cause to be made by a competent engineer an accurate and exact detail map of said mine showing the exact position of said mines in reference to the section line, which shall be connected with some known boundary line of the section or subdivision of the section. Said map shall show accurately the position of any branches, creeks, rivers or railroads under which said mine may extend; also as near as possible the position of any old coal mine nearby. The location of all oil and gas wells shall be shown on said map. Said maps shall show all shafts, slopes, tunnels or other openings to the surface or to the workings of a contiguous coal mine; all excavations, entries, rooms and cross-cuts; the location of the fan and furnace and the direction of the air currents; the location of pumps, hauling engines, engine planes, abandoned works, fire walls and standing water; and the boundary line of any surface outcrop of the seam. A separate and similar map, drawn to the same scale in all cases,

Drag on rear
of cars.

Driver not to
ascend or de-
scend shaft
with animal
only under
certain con-
ditions.

Detail map of
mine—what
must show,
etc., etc.

shall be made of each and every seam, which after the passage of this act, shall be worked in any coal mine and the maps of all such seams shall show all shafts, inclined planes or other passage ways connecting the same. Each map shall also show by elevation in feet and decimals thereof the rise and dip of the seam from the opening in either direction to the face of the workings. Said map shall be sworn to by the engineer making same. The map provided for herein shall be filed with the chief mine inspector during the month of January, next after opening of said mine, and shall show its condition on the first day of such January, and all new work inside of the mine must be added to said map, or a new map filed each year thereafter, showing the condition of the mine on the first day of January of the same year, and this provision for additions to maps shall apply to all maps which have heretofore been filed in the office of the chief mine inspector. Said maps shall be filed in the office of the chief mine inspector, who shall provide a suitable and safe place for keeping them. The chief mine inspector with the approval of the board of examiners may refuse to accept maps made by persons claiming to be mining engineers who are not known to be such and of good standing and character in their profession. The mine boss in charge of such mine shall certify to the correctness of such map, to the best of his knowledge and belief, and the additions made thereto. Said map shall be made on a uniform scale of one hundred or two hundred feet to the inch. The persons entitled to examine maps, plats and records of a coal mine shall be the owner, operator or lessee or agent of such coal mine, the persons financially interested in such mine; the owner, or owners, of land adjoining such mine; the owner or owners of land adjacent to such mine; the owner, operator, lessee or agent of a coal mine adjacent to such mine, and the authorized representatives of the employees of such or the employees driving any

break through liable to break into adjacent mine. The chief mine inspector shall not permit such maps, plans, records and papers to be removed from his office, and shall not furnish copies thereof to any persons except by request of the owner, operator, lessee or agent of the mine to which such maps, plans and records pertain. The chief mine inspector during the first three days of January of each year, shall forward, or cause to be forwarded by express, or by other safe means of transmitting at the expense of the owner, operator or agent of the respective coal mines, all maps on file in his office of mines in operation to the chief office of the respective mine as such chief office shall be reported to him, in order that said map may be revised showing the condition of the mine on the first day of January of each year and such owner, operator or agent of each mine in this State shall have such maps revised during the month of January of each year, and return the same to the office of the chief mine inspector charges prepaid, during the said month of January.

Sec. 66. Whenever the operator of any coal mine shall neglect or refuse, or, for any cause not satisfactory to the chief mine inspector, fail for the period of three months, to furnish to said inspector the map or plan of such mine, or a copy thereof, or of the extension thereto, as provided for in this act, such operator shall be deemed guilty of a misdemeanor. In addition thereto the chief mine inspector is hereby authorized to make or cause to be made, an accurate map or plan of such mine at the expense of the owner thereof; and the cost of the same may be recovered by law from the operator in the same manner as other debts by suit, in the name of the chief mine inspector and for his use.

Sec. 67. If the chief mine inspector shall believe that any map or plan of any coal mine made or furnished in pursuance of the provisions of this act is materially incomplete, inaccurate, or imperfect, then the chief mine inspector is here-

Penalty for
failure to fur-
nish.

by authorized to cause a correct survey and map or plan of said mine to be made at the expense of the operator thereof, the cost of which shall be recoverable from said operator as other debts are recoverable by law; provided, that when the chief mine inspector shall cause a new survey and map or plan of any such coal mine, and it is found that the map or plan furnished by the operator was substantially correct, then the cost of the survey, map or plan caused to be made by the chief mine inspector shall be paid by the State.

Survey may be ordered by inspector.

Sec. 68. The chief mine inspector may order a survey to be made between the regular survey periods, of the workings of any coal mine and the results to be extended on the maps of the same and the copies thereof, whenever, in his judgment, the safety of the workmen, the support of the surface, and the conservation of the property or the safety of an adjoining coal mine require it.

Final survey when mine worked out, etc.

Sec. 69. When any coal mine is worked out, or is about to be abandoned or indefinitely closed, the operator of the same shall make or cause to be made a final survey, where not already made, of all parts of such mine and the results of the same shall be duly extended on all maps of the mine and copies thereof, so as to show all excavations and the most advanced workings of the mine and their exact relation to the boundary or section lines on the surface and such abandoned mines shall be properly fenced off.

Precautions when place is dangerous on account of water or gas.

Sec. 70. When it is known that a place is likely to obtain a dangerous accumulation of gases or water, workings when approaching such places, shall not exceed eight feet in width, and the person, or persons, driving such place, shall constantly keep at a sufficient distance ahead, not less than three yards in advance, one bore hole near the center of the working, and one in each corner 15 feet deep, at an angle of forty-five degrees, at intervals of six feet. These holes shall not be used for blasting but separate holes

for blasting not over four feet deep, must be drilled. These precautions must begin at least 100 feet from the probable source of danger.

Sec. 71. In any coal mine, or coal mines, or parts thereof, wherein water may have been allowed to accumulate in large and dangerous quantities, putting in danger the adjoining or adjacent coal mines, and the lives of the miners working therein, and when such can be tapped and set free and flow by its own gravity to any point of drainage, it shall be lawful for any operator or person having a mine so endangered, with the approval of the chief mine inspector, to proceed and remove the said danger by driving a drift or drifts protected by bore holes as provided by this act, and in removing said danger it shall be lawful to drive across property lines if needful, provided, that all coal removed in such driving from adjacent land shall be paid for on the basis of 25 cents per ton of 2,000 pounds. And, it shall be unlawful for any person to dam or in any way obstruct the flow of water from said mine or parts thereof, when so set on any part of its passage to point of drainage.

Lawful to tap etc., water in adjoining coal mine.

Unlawful to obstruct flow.

Sec. 72. In no case shall the workings of any coal mine be driven nearer than 15 feet to the boundary line of the coal rights of the owner of said mine, except for the purpose of establishing an underground communication between contiguous mines, as provided for elsewhere in this act. Provided, that by mutual consent of adjacent property owners, this distance may be reduced or eliminated entirely and provided, further, that any operator working up to an abandoned coal mine may be permitted to work to his property line if approved by the chief mine inspector, but in such cases proper precautions must be taken as provided in this act.

Limit on workings to boundary line.

Sec. 73. Whenever the owner, operator or lessee of any land adjacent to other land on which any coal mine is being worked, shall have reason

Proceedings of owner of adjacent land has cause to believe that work has encroached on his land.

to believe that such mine is being so worked as to encroach upon his land, and has been refused by the owner, operator or manager of the mine, permission at reasonable time to enter upon said mine with a competent engineer for the purpose of inspecting and surveying such mine, he may make application under oath to the probate court of the county in which the mine is situated, setting out the facts and praying for an order that such mine shall be surveyed. Upon the hearing after such notice to the owner, operator or lessee of the mine, as the court may prescribe, the court may make an order requiring the chief mine inspector to employ a competent engineer to make a survey of such mine and file such survey in the office of the judge of probate and such survey when filed shall be received in any court as prima facie correct. The court may at any time during the progress of the proceedings require security for costs and may tax the costs in such manner as may be just and equitable.

Regulations as to use of gasoline and naptha.

Sec. 74. No gasoline, or naptha, shall be used in a coal mine, excepting for operating machinery, blow torches, safety lamps or for operating under the following regulations: Notice shall be made to the chief mine inspector before installing, and the installation and operation shall be subject to his approval. The supply tank from which the gasoline or naptha is fed to the engine, shall be of metal with a suitable screw cap opening, fitted with a gasket so as to make the tank tight and the tank kept free from leaks; the gasoline or naptha shall be fed from a tank to the carburetor or mixer by metal tubes securely connected so as to reduce the possibility of leaks to a minimum; the exhaust from the engine, when discharged in the mine, must not contain more than 12 volumes of carbon dioxide and 1 volume of carbon monoxide to 10,000 volumes of air. At no time shall there be more than two days' supply of gasoline or naptha in the supply tanks; at no time shall more than one day's supply of same be taken into the mine at any one

time and at no time shall there be more than two days' supply in the mine; including that in the supply tank. No gasoline or naphtha shall be taken into the mine except in metallic cans, with a screw cap opening at the top, fitted with a suitable gasket; no package or can or the supply tank of an engine, containing gasoline or naphtha shall be opened until ready to make the transfer from the package or can to the supply tank, and in transferring, a funnel shall be used so as to avoid spilling the gasoline or naphtha, and the cap on the supply tank shall be immediately closed; in no case shall the package, can, or the supply tank, be opened with any open light or other thing containing fire within twenty-five feet of the same.

Sec. 75. The oiling or greasing of cars inside of coal mines is strictly forbidden, unless the place where said oil or grease is used is kept reasonably clean. Not more than one barrel of lubricating oil shall be permitted in the mine at any one time. No explosive oil shall be used or taken into the mines for lighting purposes except when used in approved safety lamps and illuminating oil shall not be stored or taken into mines in quantities exceeding five gallons. Any person using explosive or impure oils in any coal mine contrary to any of the provisions of this act, shall be guilty of a misdemeanor; provided, this does not apply to gasoline used in gasoline engines or pumps, or naphtha, so used.

Oiling cars
inside of mine
forbidden.

Oils used and
quantity per-
mitted in
mine.

Penalty for
violation.

Sec. 76. It shall be unlawful for any workman to fire a blast without first notifying all persons in the immediate working places of that entry, and without giving sufficient alarm so that any person or persons approaching shall be warned of danger.

Notice must be
given before
firing blast.

Sec. 77. It shall be unlawful for any miner to charge any hole for blasting coal before the hole has been thoroughly cleaned of dust by suitable scraper. It shall be unlawful for any miner to tamp any blasting hole with coal or other inflammable material and it shall be the duty of

Hole cleaned
before being
charged.

Tamping hole.

Clay, etc.
provided.

the owner, operator or lessee of any coal mine wherein clay or other non-inflammable material suitable for use in tamping in preparing shots cannot be readily obtained to provide and deposit within said mine such material in each working heading, and such miner shall keep a sufficient quantity of clay or other non-inflammable material convenient to his working place, and in case he has not the necessary supply of clay or other non-inflammable material for tamping purposes he shall not charge any blasting hole until the same has been procured.

When firing
restricted—un-
lawful to fire
at other time.

Sec. 78. At a coal mine where the firing of shots is restricted to specific times, it shall be unlawful for any miner to fire a shot until the time appointed for him to do so, and then only in such rotation as designated.

When consent
of foreman
necessary to
fire shot.

Sec. 79. It shall be unlawful for any miner, shot firer or workman to fire a blast in any working place which is likely to generate sudden volumes of fire-damp, or where locked safety lamps are used, except with the consent of the mine foreman, or other competent person designated by the mine foreman for that purpose.

Use of squibs,
etc.

Sec. 80. A miner, workman or shot firer who is about to explode a shot with a manufactured squib, shall not shorten the match thereof or saturate with oil or ignite it except at the end; and he shall see that all persons are out of danger from the probable effects of such shots, and whether using squibs or fuse shall take measures to prevent anyone approaching by shouting "fire" immediately before lighting the same.

Shout "fire."
Fuse must be
of sufficient
length.

Sec. 81. It shall be unlawful for any miner, workman or shot firer to explode any shot with a fuse of insufficient length to project from the hole, when the cartridge is at the back of the hole, and in no case less than three feet or to fire any shot which is not tamped the full length of the hole.

When person
can return to
missed shot.

Sec. 82. No person shall return to a missed shot, if lighted with a squib until five minutes have elapsed from the time of lighting the same, or if lighted with fuse, until the following day;

and no person shall return to a missed shot when the firing is done by electricity unless the wires are disconnected from the battery or power line.

Sec. 83. Whenever a workman is about to open a box or can containing powder or other explosive, and while handling the same, he shall place his lamp at least five feet distant from said explosive, and in such position that the air current cannot convey sparks to it, and no person shall knowingly approach nearer than ten feet to any open box containing an open can of powder or other explosive with a lighted lamp, lighted pipe, or other thing containing fire. No miner, workman, or other person shall open any keg, can or other container of blasting powder with any pick, wedge, tool or in any manner except by the means of opening of the same provided by the manufacturer thereof, and it shall be unlawful, and a violation of this act, for any person to have in his possession in any mine any can or other container of blasting powder containing blasting powder, which has been opened in violation of this act.

Regulations
as to opening
powder.

Sec. 84. Every person who has powder or other explosive in a coal mine shall keep same in a wooden box securely locked, with hinged lid, and said box shall be kept as far as practicable from the track; and said powder boxes shall be kept as far as practicable from each other and each in a secluded place, nor shall any explosive be kept nearer than 100 feet to any working place. All black powder or other loose blasting material shall be carried into the mine by the miner in a proper receptacle with a securely fastened top.

Regulations as
to keeping
powder in
mine.

Sec. 85. No blasting powder or other explosives shall be stored in any coal mine and no workman shall have at any time more than the supply allowed by the rules and regulations of the mine, and in no case shall more than one kind of explosives be used in any one drill hole; provided, that nothing in this section shall be con-

Powder not
to be stored in
mine, etc.

strued to prevent the operator from taking into the mine, under proper precautions, a sufficient quantity of explosives for the reasonable requirements of such mine for the next succeeding working day.

Unlawful to have explosive in mine not permitted. Explosives not kept in wooden structure.

Sec. 86. It shall be unlawful for any person to take or have in his possession or under his control within any coal mine, any explosive not permitted in the mine by the rules of said mine.

Unlawful to have dynamite, etc., in mine if prohibited.

Sec. 87. No stocks of blasting powder and explosive materials shall be kept for storage in a wooden structure.

Exception.

Sec. 88. It shall be unlawful for any person to take or have in his possession or under his control within any coal mine in the State of Alabama, any dynamite, or any other explosive which may be prohibited by the rules and regulations of said mine from being in said mine, unless such person shall first have the written consent of the mine foreman or other person in charge of the operation of said mine, which said consent in writing shall set forth the use for which any such dynamite or other prohibited explosives may be particularly intended.

Scales provided by owner when miners paid by weight.

Sec. 89. The owner or operator of each coal mine, at which the miners are paid by weight, shall provide such mines with suitable scales of standard make for the weighing of all coal, when contracted for to be weighed.

Coal weighed and credit given miner, 2,000 pounds a ton.

Sec. 90. All coal mined in this State, contracted for payment by the ton or other weight shall be weighed, and the full weight thereof shall be credited to the miner of such coal, and two thousand pounds of coal shall constitute a ton.

Check weighman may be furnished by miners; duties, etc. of.

Sec. 91. In all coal mines, the miners employed and working therein may furnish a check weighman, who shall, at proper times, have full access and examination of the scales, and see all measures and weights and accounts kept of same; provided, that not more than one person shall have such right of access, examination and inspection of scales, measures and accounts at the same time.

Sec. 92. The mine inspector, miners employed in the coal mines and the owner of the land or persons interested in the rental and royalty of such mines, shall at all times have full right of access to scales used at said mines, including tally sheets or tally book in which the weight of coal is kept, to examine the amount of coal mined, for the purpose of testing the accuracy thereof.

Persons having access to scales, etc.

Sec. 93. It shall be the duty of the owner, operator or lessee or superintendent of each coal mine to keep at or near the mouth of the mine, or at such other place about or in the mine as shall be designated by the chief mine inspector, a stretcher, properly constructed, and so arranged that it may be carried on top of the mine car without slipping, and a woolen and water proof blanket in good condition, for use in carrying away any person who may be injured at the mines; and where more than 100 men are employed two stretchers and two woolen and water proof blankets shall be kept at or in mines generating fire damp. A sufficient quantity of linseed oil, olive oil or sterilized sweet oil kept in close packages, and also carbolized vasoline, bandages, and linen shall be kept in the store at the mines or at such other place as would be convenient to the mines for use in emergencies and bandages shall be kept at all times.

Stretcher, etc. kept at mine.

Sec. 94. Any building, erected after the passage of this act, for the purpose of housing the hoisting engine or boilers at any shaft, shall be substantially fireproof and no boiler house shall be nearer than sixty feet to the main shaft, or opening, or to any inflammable structure connected therewith.

Building for housing hoisting engine, etc. to be fireproof.

Sec. 95. After the passage of this act, it shall be unlawful to place a main or principal ventilating fan inside of any coal mine.

Main ventilating fan not to be placed inside of mine.

Sec. 96. The owner, operator, lessee or agent of a coal mine at which the live stock is kept underground, shall observe the following: The stable or stalls shall be separated from the main

Regulations as to stable when live stock kept underground.

inlet and main outlet air courses by not less than twenty feet of solid strata or a solid wall of brick masonry not less than twelve inches in thickness, except at two doors not more than five feet wide, which shall be made of steel plate not less than one-quarter of an inch in thickness and hinged to the solid strata or masonry without the use of wood; the ventilation for the stable shall be taken from the main inlet air courses by a by-pass or separate split and returned to the main outlet air course so that the air passing the stables will not enter the inward working places of the mine, and arranged so that the by-pass or split can readily be closed at both inlet and outlet sides of the stable by steel doors described above; the construction of the stable inside shall be free from pine or light lumber; shall be of brick masonry as much as practicable, and any timber used shall be of hardwood of a cross section not less than three by six inches; no hay or straw shall be taken into the mine or stable unless the same be compressed into compact bales, and then only from time to time in such quantity as will be required for two days' use; no greater quantity of hay or straw shall be stored in the mine or stable, and when such is taken into the mine it shall be taken inside the stable at once; the lights used inside the stable shall be incandescent electric lamps, placed so that the same will not be injured by the stock or persons required to enter the stable, or lanterns of railroad type suitable for using lard or signal oil, and only such oil shall be used therein; all refuse and waste shall promptly be removed from the stable and mine and shall not be allowed to accumulate. Stables constructed underground, after the passage and approval of this act shall be located not nearer than one hundred and fifty feet of any opening to the mines used as a means of ingress and egress.

Lighted pipe,
etc., not al-
lowed in
stable.

Sec. 97. It shall be unlawful for any person to take a lighted pipe or other thing containing fire, except lanterns as provided for in the pre-

ceding section into any stable in any coal mine in this State.

Sec. 98. No person, or persons, except those in charge of trips, superintendents, mine foremen, electricians, machinists and blacksmiths and others, when required by their duty shall ride on haulage trips, except a special trip of entry cars may be operated for the purpose of taking employees into and out of the mine, when the distance to and from their work exceeds one mile. No person, excepting trip riders, shall ride on loaded car or cars, and they shall ride only the front or rear end of the trip.

Persons permitted to ride on cars.

Sec. 99. No other person shall be allowed to travel on foot to or from his work on any incline plane, rope or locomotive roads, when other roads are provided for that purpose. Regulation concerning the installation, maintenance and operation of electrical apparatus in coal mines in the State of Alabama.

Not allowed to travel on foot, on plane, etc.

Sec. 100. Voltage.—Rule 1. Electrical pressure or voltage referred to in these regulations is understood to mean that measured on all apparatus wires and cables installed and used underground. It not only applies to voltages measured between terminals, conductors, etc., but also to the voltage measured between any one conductor, terminal, etc., and the earth. Rule 2. Three systems of voltages are described as follows: Class 1. Low. 300 volts direct current, or 240 volts alternating current or less. Class 2. Med. Between 300 volts and 600 volts direct current, or 240 volts and 480 volts alternating current. Class 3. High. 600 volts direct current or 480 volts alternating current and higher. Rule 3. No apparatus or conductors carrying a voltage within class three shall be allowed in or about working places. Rule 4. Portable apparatus using a voltage of class three are prohibited. Rule 5. Electrical equipments installed after this date shall not use any voltage higher than that in class one in or about working places. This does not prohibit the use of voltages defin-

Regulations concerning the installation, maintenance, etc., of electrical apparatus.

ed in classes two and three (except in or about working places) provided such apparatus is installed and maintained according to these regulations. Rule 6. Power circuits entering the mine must be protected against lightning by lightning arresters at all points of entrance to the mines. Rule 7. The three wire double voltage system having a maximum voltage within class two may be used provided the neutral is effectively grounded and the maximum voltage between any conductor and the earth complies with these requirements. Rule 8. The regulations covering the installation and maintenance of conductors do not apply to the grounded or return conductor or any grounded system. Rule 9. Trolley wires are prohibited in any part of the mine where safety lamps are used. Rule 10. Series arc and incandescent systems of class three shall not be used. Rule 11. Conductors in shafts and slopes used as traveling ways and in escape ways shall be protected. Rule 12. Conductors of voltage of class three shall be reasonably protected against mechanical injury and be adequately insulated to minimize the danger of fire and shock. Such conductors shall not be used where they cannot be made to comply with these regulations. Rule 13. All trolley wires carrying a voltage of class two must be properly shielded except where the same are at least $6\frac{1}{2}$ feet above top of rail. Rule 14. Signal wires shall be run at a safe distance and where possible placed on side of slope or heading away from other circuits. Rule 15. A separate or independent circuit shall be provided for shot firing, where done by electricity from the outside. A switch above the surface controlling all the shot firing circuits must be kept in a locked box, accessible only to the authorized shot firers, and switch not closed except to fire shots after which it must be opened and locked opened. Rule 16. All shot firing switches shall be kept open until immediately before the shots are fired. After the shots are fired, the switches must be

locked in open position. Rule 17. No lighting on power circuits in the mines shall be used for firing shots except in sinking shafts or rock slopes, and then only when a special switch for such firing circuit is provided and fixed in a locked box accessible only to the authorized shot firers. Rule 18. Shot firing wires, shall, where possible, be put on the side of the heading or slope away from power and lighting circuits. Rule 19. Where this system is used a suitable means of disconnecting wiring in working places shall be provided, and kept open at all times, when miner is working in his place. Rule 20. Oil switches only shall be used for voltages of class three. Rule 21. Any unusual arcing, sparking, or heating of any of the electrical equipment shall be reported at once to the proper mine officer by the attendant or any other person having knowledge of same.

Sec. 101. No person shall erase or change a mark or reference or monument made in connection with measurements; change the checks on cars; wrongfully check a car, or do any act with reference thereto with the intent to defraud.

Erasure of marks, etc., prohibited.

Sec. 102. Any employee, or other person, who shall wilfully deface, pull down or destroy any notice board, danger signal, general or special rules or mining laws, shall be guilty of a misdemeanor.

Unlawful to deface, etc., danger signal, etc.

Sec. 103. All persons are forbidden to meddle or tamper in any way with any electric or signal wires in or about the mines.

Electric wires not to be tampered with.

Sec. 104. Persons not employees of a coal mine shall not enter such mine unless the consent of the operator or his authorized representative has been secured and shall not stand on the tracks or go near the machinery or other place of danger.

Persons not employees not to enter mines without permission.

Sec. 106. Whoever shall, while under the influence of intoxicating liquor, enter any coal mine, or any of the buildings connected with the operation of the same, within this State, where miners or other workmen are employed, or who-

Intoxicated persons and intoxicating liquors prohibited in mines, etc.

ever, shall carry intoxicating liquors into the same, shall be deemed guilty of an offense against this act, and upon conviction shall be punished accordingly.

Sec. 107. On and after the passage of this act any coal mine superintendent, mine foreman, or assistant mine foreman, or any other person or persons, who shall receive or solicit any sum of money, or other valuable consideration, from any of his or their employees for the purpose of continuing in his or their employ, or for the purpose of procuring employment, or procuring or keeping working places shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than fifty dollars, nor more than three hundred dollars, and shall be sentenced at hard labor for the county for not less than six months.

Sec. 108. No woman of any age or boy under the age of fourteen shall be employed to work or labor in or about any coal mine in this State.

Sec. 109. For the purpose of making known the rules and provisions of this law to all persons employed in or about coal mines, to which this law applies, an abstract of the law and rules shall be furnished by the chief mine inspector and posted up in legible characters in some conspicuous place or places at or near the mines where they may be conveniently read by the persons employed, and so often as they become obliterated or destroyed, the owner, operator, lessee or superintendent, shall cause them to be renewed with all reasonable dispatch. Any person who pulls down, injures, or defaces such abstract of the law or rules when up in pursuance of the provisions of this chapter, shall be guilty of an offense against the law. The mine rules and regulations so posted shall limit and govern the amount and kind of explosives used in said mine.

Sec. 110. Any willful neglect or refusal or failure to do the things required to be done by any section, clause or provision of this act,

Soliciting
funds pro-
hibited.

Woman and
boy under 14
not to work in
or about mines.

Abstract of
law and rules
furnished and
posted.

Penalty for
injuring.

Penalty for
willful neg-
lect, etc.

on the part of the person, or persons, herein required to do them, or any willful violation of any of the provisions or requirements hereof, or any willful attempt to obstruct or interfere with any inspectors in the discharge of the duties herein imposed upon him, shall be deemed a misdemeanor, and unless herein otherwise provided punishable by a fine of not less than five dollars or more than five hundred dollars, or by imprisonment in the county jail for a period not exceeding six months, one or both, at the discretion of the court; provided that in addition to the above penalties, in case of the failure of any operator to comply with the provisions of this act in relation to the sinking of escapement shafts and the ventilation of mines, the State's attorney for the county in which such failure occurs shall proceed against such operator by injunction without bond, to restrain him from continuing to operate such mine until such legal requirements shall have been fully complied with.

Sec. 110½. The word person wheresoever used in this act shall include corporation association co-partnership or firm as well as an actual person. Meaning of word person.

Sec. 111. All laws and parts of laws, local, general or special in conflict with the provisions of this act are hereby repealed.

Approved April 18th, 1911.

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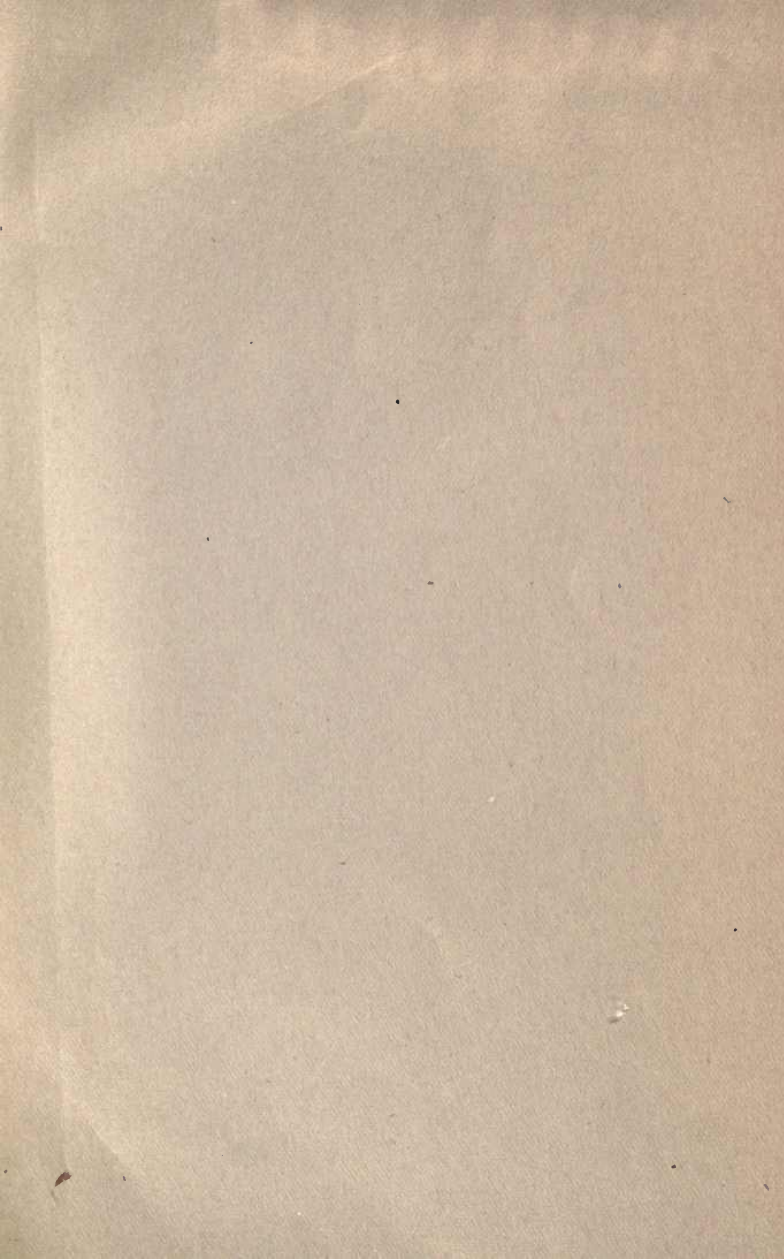
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